

# Notice of Allowability

Application No.

09/760,145

Examiner

Aravind K. Moorthy

Applicant(s)

BONNSTETTER ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/22/06.
2. ☒ The allowed claim(s) is/are 28 and 31-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
AYAZ SHEKH

**SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100**

### **DETAILED ACTION**

1. This is in response to the amendment filed on 22 December 2006.
2. Claims 28 and 31-40 are pending in the application.
3. Claims 28 and 31-40 have been allowed.
4. Claims 1-27, 29 and 30 have been cancelled.

#### ***Response to Amendment***

5. The examiner approves of the amendment made to the claims. The applicant has cancelled previously rejected claims 1-27, 29 and 30. The examiner has allowed remaining claims 28 and 31-40.

#### ***Allowable Subject Matter***

6. Claims 28 and 31-40 allowed.

The following is an examiner's statement of reasons for allowance:

The current application is directed towards a method of distributing documents that includes the step of displaying the documents on a web site. Responses to the documents are accepted on the web site. After the responses have been accepted, they are processed into a report and the report is returned to an interested party. As claimed in the current application, the documents are an assessment instrument for completion by respondents. An employee accesses the evaluation firm's web server through a login screen. A user name and a password must be entered to gain access onto the web server. The functions that an individual who logs onto the web server can perform will be controlled by the permissions that are associated with the user name and the password.

The closest prior art to the current application is Howard et al WO 00/55792 (hereinafter Howard). Howard is directed towards a performance review and job description system that allows users to create professional job descriptions and employee performance reviews across the Internet. Howard teaches a performance review module and a job description module and places the applications online through a content or Web server. Access to each module is through a Universal Resource Locator (URL) that points to the content server and sessions are kept open until the user receives his completed document. Howard discloses that the user's company information is determined using the entry point URL. Company data and custom theme data are retrieved from the content server databases. The company's Performance Now homepage is presented to the user containing the menu options for writing a review or entering/updating user information. When the user selects the desired option, the appropriate login page is presented to the user. The user logs onto the content server using his ID and password or name and email address. The user's ID is verified and the appropriate privileges, session variables and defaults are set [page 15].

However, the Howard reference differs from the current application in several aspects. Howard does not disclose initializing permissions relative to the password based on the level of rights for the entity. Howard does not disclose the permissions including at least one respondent password having permissions based on the level of rights for a respondent. Howard does not disclose sending the assessment report to one or more locations authorized by the permissions. Howard discloses setting appropriate privileges, but they are not initialized relative to the password. Howard discloses setting up request for feedback is accomplished in the Performance Appraiser and is user specific. In other words, the user will select the Multi-Rater option to

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gather feedback and will specify from whom on a review-by-review basis. Additionally, the user can create and retain a “buddy list” of other users that he frequently requests feedback information from [page 16]. This disclosure teaches being able to send an assessment report to one or more locations, but it does not disclose that this is authorized by the permissions set by the password.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”


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***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aravind K Moorthy   
March 13, 2007

  
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